

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. CR07-029-MJP
)	
Plaintiff,)	
)	
v.)	
)	DETENTION ORDER
NGHIA TRONG HUYNH,)	
)	
Defendant.)	
_____)	

Offense charged: Conspiracy to Manufacture Marijuana; Conspiracy to Possess Marijuana
with Intent to Distribute

Date of Detention Hearing: February 6, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds
that no condition or combination of conditions which defendant can meet will reasonably assure
the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with the offenses of Conspiracy to Manufacture

01 Marijuana; Conspiracy to Possess Marijuana with Intent to Distribute. The maximum penalty of
02 this offense is in excess of ten years. There is therefore a rebuttable presumption against defendant
03 as to both dangerousness and flight risk, under 18 U.S. C. §3142(e).

04 2. Defendant is a United States citizen with strong family ties to Vietnam. Until
05 approximately one month ago, he resided in Oklahoma. The AUSA alleges that he moved to this
06 District for the sole purpose of beginning the marijuana grow operation that is the subject of the
07 indictment. He is not employed in this District. Although the defendant resides in Puyallup, the
08 AUSA proffers that the house is owned by defendant's girlfriend and that the property is subject
09 to forfeiture in that it was allegedly one of the premises in which the grow operation was being
10 carried out. The defendant has no other ties to this District. He has a 1998 conviction for
11 possessing and receiving stolen property.

12 3. Taken as a whole, the record does not effectively rebut the presumption that no
13 condition or combination of conditions will reasonably assure the appearance of the defendant as
14 required and the safety of the community.

15 It is therefore ORDERED:

16 (1) Defendant shall be detained pending trial and committed to the custody of the
17 Attorney General for confinement in a correction facility separate, to the extent
18 practicable, from persons awaiting or serving sentences or being held in custody
19 pending appeal;

20 (2) Defendant shall be afforded reasonable opportunity for private consultation with
21 counsel;

22 (3) On order of a court of the United States or on request of an attorney for the

01 Government, the person in charge of the corrections facility in which defendant is
02 confined shall deliver the defendant to a United States Marshal for the purpose of
03 an appearance in connection with a court proceeding; and

- 04 (4) The clerk shall direct copies of this Order to counsel for the United States, to
05 counsel for the defendant, to the United States Marshal, and to the United States
06 Pretrial Services Officer.

07 DATED this 6th day of February, 2007.

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09 Mary Alice Theiler
10 United States Magistrate Judge
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